

UNITED STATES DISTRICT COURT

for the

District of South Carolina

James B. Curry,

Petitioner

v.

Warden of Lee Correctional Institution,

Respondent

Civil Action No. 1:16-cv-01676-JFA

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the petitioner (*name*) _____ recover from the respondent (*name*) _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ___ %, plus postjudgment interest at the rate of ___ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent (*name*) _____ recover costs from the petitioner (*name*) _____.

☒ the petitioner, James B. Curry, shall take nothing of the respondent, Warden of Lee Correctional Institution, and this action is dismissed without prejudice.

This action was (*check one*):

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Joseph F. Anderson, Jr., Senior United States District Judge, presiding, adopting as modified the Report and Recommendation of the Honorable Shiva V. Hodges, United States Magistrate Judge, which recommended dismissing the petition without prejudice.

Date: February 21, 2017

ROBIN L. BLUME, CLERK OF COURT

s/Mary-Myers Walker

Signature of Clerk or Deputy Clerk